

State of Wisconsin



2009 Senate Bill 36

Date of enactment: **April 14, 2009**
Date of publication*: **April 28, 2009**

2009 WISCONSIN ACT 8

AN ACT to amend 343.32 (1m) (b) (intro.), 938.34 (14r) (a) and 961.50 (1) (intro.) of the statutes; **relating to:** motor vehicle operating privilege suspensions for controlled substance violations.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 343.32 (1m) (b) (intro.) of the statutes is amended to read:

343.32 (1m) (b) (intro.) The secretary ~~shall~~ may suspend a person's operating privilege for not less than 6 months nor more than 5 years whenever notice has been received of the conviction of such person under federal law or the law of a federally recognized American Indian tribe or band in this state or the law of another jurisdiction for any offense therein which, if the person had committed the offense in this state and been convicted of the offense under the laws of this state, would have ~~required~~ permitted suspension of such person's operating privilege under s. 961.50. The person is eligible for an occupational license under s. 343.10 as follows:

SECTION 2. 938.34 (14r) (a) of the statutes is amended to read:

938.34 (14r) (a) In addition to any other dispositions imposed under this section, if the juvenile is found to have violated ch. 961, the court ~~shall~~ may suspend the juvenile's operating privilege, as defined in s. 340.01 (40), for not less than 6 months nor more than 5 years.

The ~~If a court suspends a person's operating privilege under this paragraph,~~ the court shall immediately take possession of any suspended license and forward it to the department of transportation together with the notice of suspension stating that the suspension or revocation is for a violation of ch. 961.

SECTION 3. 961.50 (1) (intro.) of the statutes is amended to read:

961.50 (1) (intro.) If a person is convicted of any violation of this chapter, the court ~~shall~~ may, in addition to any other penalties that may apply to the crime, suspend the person's operating privilege, as defined in s. 340.01 (40), for not less than 6 months nor more than 5 years. ~~The If a court suspends a person's operating privilege under this subsection,~~ the court shall immediately take possession of any suspended license and forward it to the department of transportation together with the record of conviction and notice of the suspension. The person is eligible for an occupational license under s. 343.10 as follows:

SECTION 4. Initial applicability.

(1) This act first applies to violations occurring on the effective date of this subsection.

* Section 991.11, WISCONSIN STATUTES 2007-08 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].